such cancellations and amendment, Applicant has not and does not in any way narrow the scope of protection to which Applicant considers the invention herein to be entitled. Rather, Applicant reserves Applicant's right to pursue such protection at a later point in time and merely seeks to pursue protection for the subject matter presented in this submission.

3. Claim 1 stands rejected under 35 USC § 102(b) as being anticipated by U.S. Patent No. 5,674,287 ("Slepian"). To distinguish it from the cited reference more thoroughly, Applicant amends Claim 1 to include a step of contracting said dilatation. Support for the amendment is found in Figure 6A of the application and the corresponding description. There is no teaching in Slepian of contracting a dilatation in a body part. Accordingly, the rejection of Claim 1 and all Claims depending therefrom under 35 USC § 102(b) is deemed overcome.

4. Claim 1 stands rejected under 35 USC § 102(e) as being anticipated by U.S. Patent No. 5,938,660 ("Swartz"). Swartz also contains no teaching of contracting a dilatation in a body part. Accordingly, the rejection of Claim 1 and all Claims depending therefrom under 35 USC § 102(e) is deemed overcome.

5. In view of the above amendment, all rejections under 35 USC § 103(a) are rendered moot.

CONCLUSION

In view of the foregoing, the Application is deemed to be in allowable condition. Therefore, Applicant earnestly requests the Examiner to allow the Application to pass to issue as a United States Patent. Should the Examiner have any questions regarding the Application, he is urged to contact Applicant's attorney at the telephone number given below.

Respectfully submitted,

Michael A. Glenn
Reg. No. 30,176

Customer No. 22862

AMENDMENTS TO THE CLAIMS

A1

1. (Currently amended) A method for treating a dilatation of a body, including the steps of:

inserting a catheter into a localized region of said body;

exuding from said catheter a substance capable of perfusing into at least some tissue in said localized region;

allowing said substance to perfuse into a tissue of said localized region;

emitting from said catheter energy of a frequency and in an amount effective to cause a temperature change in said substance; and

contracting said dilatation;

whereby at least some tissue in said localized region is treated.

2. (Original) A method as in claim 1, wherein said localized region includes a lumen or sphincter.

3. (Original) A method as in claim 1, wherein said localized region includes cancerous, engorged, inflamed or infected tissue.

4 - 5. (Withdrawn)

6. (Original) A method as in claim 1, wherein said localized region is associated with a body system, said body system including a blood vessel, lung tube, lung pocket, gastrointestinal system, urogenital system, nerve or nerve sheath.

7. (Withdrawn)

8. (Original) A method as in claim 1, wherein said exuded substance includes a saline solution.

9 – 13. (Withdrawn)

14. (Original) A method as in claim 1, wherein said energy is emitted by electrical contact.

15 – 17. (Withdrawn).

18. (Original) A method as in claim 1, wherein said treatment includes shrinkage of said lumen or said sphincter to a selected dimension.

19. (Original) A method as in claim 1, wherein said treatment includes shrinkage of said lumen or said sphincter to a substantially normal dimension.

20. (Original) A method as in claim 1, wherein said treatment includes shrinkage of said engorged or inflamed tissue by removal of lipids or water,

21 – 22. (Withdrawn)

23. (Original) A method as in claim 1, wherein said treatment includes destruction of a damaged or a diseased tissue.

24. (Original) A method as in claim 1, wherein said treatment includes promotion of epithelial growth.

25. (Original) A method as in claim 1, wherein said treatment avoids local nerve centers.

26. (Original) A method as in claim 1, including an additional step of isolating said localized region using a structure inserted as part of said catheter.

27. (Original) A method as in claim 26, wherein said inserted structure includes an

occluding balloon.

28. (Original) A method as in claim 26, wherein said inserted structure includes a space-filling balloon with a lumen through it.

29. (Original) A method as in claim 1, wherein said catheter includes instrumentation used for feedback.

30. (Original) A method as in claim 29, wherein said feedback includes surgical visualization provided by a camera, RF energy, x-rays, florescence or ultrasound.

31. (Original) A method as in claim 29, wherein said feedback includes systemic, comprising measurement of pH, pressure or temperature.

32. (Original) A method as in claim 29, wherein said feedback includes monitoring for said treatment, including an element for determining a location of a specified tissue element to be treated.

33. (Original) A method as in claim 29, wherein said feedback includes monitoring for said treatment, including pacing.

34. (Original) A method as in claim 1, wherein said exuding and perfusing includes a physical method of delivery.

35. (Original) A method as in claim 34, wherein said exuded and perfused substance includes included in a saline solution or nontoxic foam.

36. (Original) A method as in claim 34, wherein said physical method of delivery includes a porous balloon, a microporous balloon, or a balloon with a porous or microporous membrane.

37. (Original) A method as in claim 34, wherein said physical method of delivery

includes direct emission from said catheter.

38. (Withdrawn)